

**To:** Albright, David[Albright.David@epa.gov]  
**From:** Rao, Kate  
**Sent:** Tue 3/10/2015 3:35:08 PM  
**Subject:** FW: UICs desk statement

David - I think I sent you a draft revised desk statement yesterday. Below is the final one that OPA sent to the Chronicle last week. Sorry about that. Kate

\*\*\*\*\*

Kate Rao  
Drinking Water Protection Section (WTR 3-2)  
USEPA Region 9  
75 Hawthorne St., San Francisco, CA 94105  
tel: (415) 972-3533 / fax: (415) 947-3549

**From:** Skadowski, Suzanne  
**Sent:** Wednesday, March 04, 2015 12:52 PM  
**To:** Rao, Kate  
**Cc:** Albright, David; Dermer, Michele; Mogharabi, Nahal; Maier, Brent; Montgomery, Michael; Zito, Kelly; Keener, Bill  
**Subject:** UICs desk statement

Final desk statement/response provided to SF Chronicle today:

We received a copy of the State's Class II Underground Injection Control (UIC) Program Revision Plan on February 6, 2015. We are reviewing and discussing the plan with the State and will ensure that the plan contains actions that will bring California's oil and gas UIC program back into compliance with the Safe Drinking Water Act.

We also received the State's March 2, 2015 memo: Cal EPA Review of UIC Program. As we previously stated, EPA identified concerns about Class II injection wells located outside of approved aquifer exemption boundaries and we communicated this to the State by email in May 2012. A subsequent series of internal EPA file reviews and discussions with the State revealed that our collective records were unclear with regard to the status of 11 aquifer formations the State requested to exempt at the time that they

applied for oil and gas UIC primacy.

We will continue our heightened oversight of the State to ensure that the oil and gas UIC program meets federal requirements. This effort includes ensuring that several hundred disposal wells, including approximately 70 disposal wells in the 11 aquifer formations historically treated as exempt, and nearly two thousand enhanced oil recovery wells permitted to inject into non-exempt aquifers, are addressed as expeditiously as possible, with an immediate emphasis on the wells in aquifers with the highest water quality.

---

**Suzanne Skadowski**  
Public Affairs Specialist  
U.S. Environmental Protection Agency | San Francisco  
D: 415-972-3165| C: 415-265-2863| E: [skadowski.suzanne@epa.gov](mailto:skadowski.suzanne@epa.gov)

**From:** Diamond, Jane  
**Sent:** Wednesday, March 04, 2015 10:00 AM  
**To:** Skadowski, Suzanne; Montgomery, Michael; Quast, Sylvia; Engelman, Alexa; Moffatt, Brett  
**Cc:** Albright, David; Dermer, Michele; Rao, Kate; Mogharabi, Nahal; Maier, Brent  
**Subject:** RE: Draft Final Desk Statement - deliberative/confidential

Looks fine to me. Thanks.

Jane Diamond

Water Director, EPA Region 9

415-947-8707

**From:** Skadowski, Suzanne  
**Sent:** Wednesday, March 04, 2015 9:29 AM  
**To:** Montgomery, Michael; Quast, Sylvia; Engelman, Alexa; Moffatt, Brett; Diamond, Jane

**Cc:** Albright, David; Dermer, Michele; Rao, Kate; Mogharabi, Nahal; Maier, Brent  
**Subject:** RE: Draft Final Desk Statement - deliberative/confidential

Please give this a final read-through before I send to the SF Chronicle this morning - thanks:

DRAFT/DELIBERATIVE/CONFIDENTIAL

# Ex. 5 - Deliberative Process

---

**Suzanne Skadowski**  
Public Affairs Specialist  
U.S. Environmental Protection Agency | San Francisco  
**D:** 415-972-3165 | **C:** 415-265-2863 | **E:** [skadowski.suzanne@epa.gov](mailto:skadowski.suzanne@epa.gov)

**From:** Montgomery, Michael  
**Sent:** Tuesday, March 03, 2015 3:54 PM  
**To:** Quast, Sylvia; Engelman, Alexa; Moffatt, Brett; Diamond, Jane  
**Cc:** Skadowski, Suzanne; Albright, David; Dermer, Michele; Rao, Kate; Mogharabi, Nahal; Maier, Brent  
**Subject:** Draft Final Desk Statement - deliberative/confidential

We need to finalize this and put it into play tomorrow a.m.. We have a pending inquiry. Comments to Suzanne please

DRAFT/DELIBERATIVE/CONFIDENTIAL

## **Ex. 5 - Deliberative Process**

Michael Montgomery

Assistant Director - Water Division

US EPA Region 9

415-972-3438